

REMARKS

Claims 1-18 are pending in the application. In the final Office Action of June 8, 2006, the Examiner made the following disposition:

- A.) Rejected claims 10, 12-14, and 16-28 under 35 U.S.C. 102(b) as being anticipated by *Kajiura, et al.*
- B.) Rejected claims 11 and 15 under 35 U.S.C. 102(b) or in the alternative under 35 U.S.C. §103(a) in view of *Kajiura, et al.*
- C.) Rejected claims 10, 12-14, and 16-28 under 35 U.S.C. 103(a) as being unpatentable over *Kajiura, et al.*

Applicants respectfully traverse the rejections and address the Examiner's disposition below.

- A.) Rejection of claims 10, 12-14, and 16-18 under 35 U.S.C. 102(b) as being anticipated by *Kajiura, et al.*:

Applicants respectfully disagree with the rejection.

Applicants' independent claims 10 and 14, each as amended, each claim subject matter relating to a tin-containing material including metallic tin, CoSn_2 , CoSn , and Co_3Sn_2 and an alloy comprising lithium and at least one element selected from the group of elements consisting of magnesium, boron, gallium, indium, antimony, bismuth, cadmium, silver, hafnium, zirconium, and yttrium in the same particle.

This is unlike *Kajiura*, which fails to disclose or suggest an anode that includes a tin-containing material including metallic tin, CoSn_2 , CoSn , and Co_3Sn_2 and an alloy comprising lithium and at least one element selected from the group of elements consisting of magnesium, boron, gallium, indium, antimony, bismuth, cadmium, silver, hafnium, zirconium, and yttrium in the same particle. *Kajiura* discloses an anode that includes an alloy of lithium and aluminum, germanium, silicon, tin, zinc, or lead. *Kajiura* translation para. [0005]. However, nowhere does *Kajiura* disclose or suggest an anode that includes tin-containing material including an alloy comprising lithium and at least one element selected from the group of elements consisting of magnesium, boron, gallium, indium, antimony, bismuth, cadmium, silver, hafnium, zirconium, and yttrium.

Therefore, for at least this reason, *Kajiura* fails to disclose or suggest claims 10 and 14.

Claims 12, 13, and 16-18 depend directly or indirectly from claim 10 or 14 and are therefore allowable for at least the same reasons that claims 10 and 14 are allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

B.) Rejection of claims 11 and 15 under 35 U.S.C. 102(b) or in the alternative under 35 U.S.C. §103(a) in view of *Kajiura, et al.*:

Applicants respectfully disagree with the rejection.

Independent claims 10 and 14 are allowable over *Kajiura* as discussed above.

Claims 11 and 15 depend directly or indirectly from claim 10 or 14 and are therefore allowable for at least the same reasons that claims 10 and 14 are allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

C.) Rejection of claims 10, 12-14, and 16-18 under 35 U.S.C. 103(a) as being unpatentable over *Kajiura, et al.*:

Applicants respectfully disagree with the rejection.

As discussed above in Remarks section A, *Kajiura* fails to disclose or suggest Applicants' claims 10, 12-14, and 16-18.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that claims 10-18 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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